

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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OCT 09 2013

TONY R. McJANNET, CLERK

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IN THE U.S. District Court
Western District of Louisiana
Lake Charles Division

Matthew H. McBride

Civil Action 13-cv-390

vs.

Sec P

Beauregard Parish, et al.

Judge Minaldi

Magistrate Judge May

Objections

Pro se plaintiff Matthew McBride, proceeding in forma pauperis, filed the instant civil rights complaint February 21, 2013. At all times relevant to this matter, McBride was "a prisoner of the State of Texas in the custody of the Dallas County Jail in Dallas, Texas."

Plaintiff is proceeding objecting the recommendation to dismiss the civil matter. Plaintiff has proceeded Pro se without access to court or counsel, therefore the pleading of the civil rights violation might not have met standards of the screening process. Plaintiff's lack of knowledge in these pleadings is a factor as to why this complaint is recommended to be dismissed.

To proceed under 1983 Section the plaintiff (1) has to show a constitutional right has been violated; and (2) that the conduct complained of was committed by a person acting under color of state law - that is, that the defendant was a state actor. See *Hessbrook v. Lennon*, 777 F.2d. 999, 1005 (5th cir. 1985).

The Plaintiff's constitutional right has and is continued violated without the production of all documents related to his involvement. Due Process clause, and 6th, 14th constitutional right is in violation by the documents not being afforded to the plaintiff. The defendant has failed to make any motion to produce these documents after requested by plaintiff.

Plaintiff's constitutional rights was also violated by not affording due process when Plaintiff neglected to contact the 194th JDC Judge E. White to request the Plaintiff's Probation court to grant the Plaintiff's use & aid in the apprehension of Jeffery Cooley. NCIC did reflect plaintiff being on probation in Dallas County, Texas. Not allowing both the plaintiff, and 194th County Court of Dallas, Texas, the right to due process, not only violated due process but color of law was neglected.

The Plaintiff has given alleged civil rights violation by the defendant with standards in mind, See *Hessbrock v. Lennon*, 777 F.2d. 999, 1005 (5th Cir. 1985).

Plaintiff seeks the help of counsel to proceed with this case to ensure a fair outcome for both the plaintiff, and defendant. Plaintiff proceeds in forma pauperis and can not afford to employ counsel to find a legal remedy for these violations of the plaintiff's civil rights to be afforded due process by the 6th, 14th amend. of U.S.C., therefore plaintiff also request court to consider McBride is incarcerated, and extra time is necessary to reply to any/all order of the court.

Plaintiff prays the above is understood it was done by the best of the ability of the plaintiff without counsel. Due to the pleading error that was respected, but objected with solid reason, and ground. Merit should be respected, thank you.

Unsworn Declaration

I, Matthew McBride, #12073357, being presently incarcerated in the Dallas Co. Jail, do hereby declare under penalty of perjury that the above and foregoing is true and correct.

Executed 10-04-2013 M. McBride Sr.

Matthew McBride # 18073357
P.O. Box 460334
Dallas TX.
75246

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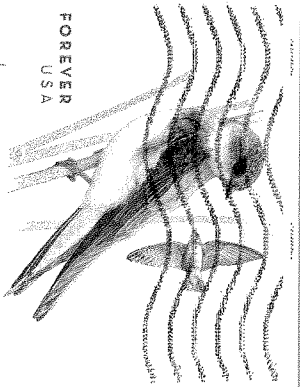
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